

McCorkle, Perry C (CRT)

NO. 2011-2775

From: Elizabeth Winn [EHanshawWinn@sos.state.tx.us]
Sent: Thursday, October 13, 2011 5:35 PM
To: vot1973c (CRT)
Cc: Ann McGeehan; John Sepehri
Subject: Submission file 2011-2775-DOJ; Attention: Ms. Jennifer Maranzano (GLS)
Attachments: Spanish_Surname_Report.xls

October 13, 2011

Ms. Jennifer Maranzano
Civil Rights Division
Room 7254 - NWB
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530

Dear Ms. Maranzano:

Please find attached a report responsive to your telephone request on Thursday, October 6, 2011 for additional information concerning our submission of Senate Bill 14 for preclearance. The attached is a spreadsheet that reflects the number and percentage of voters with Spanish surnames by precinct and county of registration in Texas, as well as the aggregate number and percentage of voters with Spanish surnames in the State of Texas.

Please note that the attached reflects a snapshot as of October 11, 2011. The spreadsheet we submitted in response to the Department of Justice's formal request for additional information concerning the Senate Bill 14 submission reflected a snap shot as of September 16, 2011. Because the voter registration database constantly changes, we were unable to run the attached report as of September 16, 2011. However, the numbers by county and in the aggregate are not markedly different than the spreadsheet generated on September 16, 2011.

If you have any questions or need additional information, please contact me at 512-463-9871.

Sincerely,

/S/

Ann McGeehan
Director of Elections

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Hope Andrade
Secretary of State

SECTION 5 SUBMISSION

October 4, 2011

NO. 2011-2775

Mr. T. Christian Herren, Jr.
Chief, Voting Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

2011 OCT - 5 PM 12: 38
CIVIL RIGHTS DIVISION

Dear Mr. Herren:

This is in response to your September 23, 2011, request for additional information concerning the submission of Senate Bill 14 (Chapter 123) passed in the 82nd Regular Texas Legislative Session. You have asked for five categories of additional information, and we will address each request below.

1. A detailed description of the voter education program that the State will implement pursuant to Section 5 of Chapter 123.

The Office of the Secretary of State is issuing a Request for Proposals ("RFP") for the development and implementation of a comprehensive statewide voter education program. As specified in the RFP, the voter education program will focus on four critical areas: (1) how to register to vote; (2) how to comply with photo identification requirements; (3) polling place processes and procedures; and (4) how to properly cast a ballot. Attached is the 'scope and tactics' section of the RFP detailing the voter education program to be implemented, and the intended timeline for development and implementation. The RFP requires current research be the foundation of the voter education program, ensuring the use of "best practices" and most effective communications strategies and messages to achieve maximum success in reaching voters statewide and targeted sub-groups, including but not limited to minority voters, elderly voters, military and overseas voters, and young voters.

Additionally, our office is updating our standard online voter pamphlets such as "Texas Voting," and "Services Available to Voters With Special Needs," which appear along with other voter information provided at our "Votexas.org" website. As you are likely aware, all voter materials on our website appear in English and Spanish.

2. A detailed description of the efforts that the State will undertake, including the issuance of any rules, regulations, or written guidance, to inform and train state and county election officials regarding photo identification requirements, including, but not limited to, the implementation of the election identification card system; the acceptance and

Mr. T. Christian Herren, Jr.

Page 2

handling of a voter's photo identification pursuant to Section 6 of Chapter 123; the verification of identity pursuant to Section 9 of the Act; and the manner in which the State will resolve discrepancies between information on presented identification and information contained on the list of registered voters. Please include a description of all materials that will be used to implement the program.

The Office of the Secretary of State has proposed two administrative rules as part of our effort to inform and train state and county election officials concerning voter identification requirements. On September 16, 2011, this office proposed rule 1 TAC 81.71, which concerns standards for determining when a voter's name on the photo identification substantially matches the voter's name on the list of registered voters; this proposed rule was forwarded to your office per your staff's request on September 8, 2011. The earliest possible date of adoption is October 16, 2011, and once adopted, the rule will be officially submitted to your office for preclearance. The rule is posted on the Secretary of State website, and may be found at this <http://www.sos.state.tx.us/texreg/archive/September162011/PROPOSED/1.ADMINISTRATION.html#14>. On September 23, 2011, the Office of the Secretary of State proposed rules 1 T.A.C. §§ 81.172, 81.173 and 81.174 concerning modifications to the administrative rules governing provisional voting, in part, in order to incorporate the six-day cure period provided for in Senate Bill 14. Three separate rules are required due to the various voting systems in use in the state, but the substance of the cure process is the same in each rule. The earliest day of adoption is October 23, 2011, and once adopted, the rules will be submitted to your office for preclearance. The rules are posted on the Secretary of State website and may be found at this <http://www.sos.state.tx.us/texreg/sos/index.html>. As explained more thoroughly in the response to Question 3 below, the DPS will be proposing an administrative rule concerning the process to obtain an election identification certificate.

Once these administrative rules are adopted and precleared, the educational materials that the Office of the Secretary of State prepares for local election officials will be updated accordingly. Specifically, the Handbook for Qualifying Voters, the 30 minute Qualifying the Voter video/DVD, and the Online Poll Worker training will be updated. As required in Section 7 of Senate Bill 14, all election judges and clerks will be required to complete at least one of the state prescribed training tools, in addition to any training that may be required by the local election authority. Enclosed are samples of the existing handbook and video, and if you are interested in reviewing the online training program, please let us know and we can provide you a log-in and password. Photo identification requirements will be fully integrated into the existing training regime in a similar fashion as the current voter identification requirements. In addition, the DPS website will have information about the election identification certificate and how people can obtain the card.

3. On September 15, 2011, the State provided a draft of proposed administrative rules developed by the Texas Department of Public (DPS) regarding the election identification certificate program:
 - a. Please advise of the State's plans and timing for publication of such rules, receipt of public comment and final rules enactment;

As stated above, the Department has initiated the administrative rulemaking process regarding the election identification certificate. The following is a projected timeline for the process:

Mr. T. Christian Herren, Jr.
Page 3

September 27, 2011 – Proposed rules approved by Public Safety Commission for publication in the Texas Register;
October 3, 2011 – Rules will be submitted to the Texas Register by the Monday, noon deadline for the October 14th issue;
October 14, 2011 – Proposed rules published in the October 14, 2011 issue of the Texas Register;
November 14, 2011 – 30-day Comment period expires;
November 17, 2011 – The Public Safety Commission has not yet determined a date for their November meeting. However, meetings are often scheduled for the third Thursday of the month. If the November Public Safety Commission meeting is set for the third Thursday, that will be November 17, 2011. This would be the earliest point in time the rules could be adopted and approved for publication.
November 18, 2011 (or the day following the November Public Safety Commission meeting) the rules will be submitted to the Texas Register for publication
December 8, 2011 – Rules become effective (twenty (20) days following submission for publication)

If the Department receives a high volume of public comments or a request for a public hearing, this could possibly delay the presentation of the rules for adoption at the November PSC meeting. In that event, the rules would be placed on the agenda for the December PSC meeting. No date has been set for the December 2011 meeting. After the rules are adopted and approved for publication by the PSC, they are submitted to the Texas Register. The rules become effective twenty (20) days following submission for publication. If the rules are adopted in the December meeting, they will not be effective by January 1, 2012. However, this will not impede the initiation of the election identification certificate issuance program on January 1, 2012.

- b. Please provide a detailed description of the locations and dates when an individual may obtain a free election identification certificate, including, but not limited to: a description of all means of informing the public of the distribution process if any transportation or other assistance will be provided to individuals trying to obtain such a certificate, and whether such efforts at providing information and/or assistance will be focused on any groups of persons or particular areas of the state; and a description of all equipment and materials necessary to implement the program, as well as any renewal procedures; if applicable.

Once the election identification certificate issuance program is initiated, an election identification certificate may be obtained during regular business hours at any DPS driver license office location in the state. The DPS provided a detailed chart to the Department of Justice on September 15, 2011, and is enclosed is a copy of the chart. It contains a list of all driver license offices, the counties in which they are located, the hours each office is open and the number of employees in each office.

The DPS will provide notice of the election identification certificate program and related information on the DPS website. Additionally, the Office of the Secretary of State will incorporate education regarding the election identification certificate into the voter education program and into the election official training materials.

The DPS does not currently plan to provide transportation for individuals seeking to obtain a driver license, personal identification card, or election identification certificate.

Mr. T. Christian Herren, Jr.
Page 4

The equipment and materials necessary to issue any card, driver licenses, personal identification card, or election identification card is extensive. DPS currently has all the necessary components in place to produce and issue the cards. This multi-faceted process includes the equipment, materials, and facilities to submit and process the application, transmit information to DPS headquarters and vendors for card production, the actual production of the card, quality assurance and control, and mailing to the cardholder.

The card will have a six-year term. Cardholders will have the ability to renew online one time before being required to return to the driver license office for an onsite renewal. This is the same as is allowed for a driver license or personal identification card. For example, a person who is issued an election identification card in 2012 will be able to renew that card online in 2018, but will need to appear at the DPS office for the 2024 renewal. Persons who are 70 years of age or older will be issued a card that does not expire.

4. Any additional rules, regulations, or written guidance that the Secretary of State or DPS plans to promulgate pursuant to the Act.

Neither the Office of the Secretary of State nor DPS currently plan to promulgate any additional rules or regulations concerning the Act. As described in the response to Question 2 above, the Office of the Secretary of State will be revising written training materials to incorporate the Act and the administrative rules which were proposed on September 16 and September 23, 2011. The Office of the Secretary of State will also include the DPS requirements for the election identification certificate program in all its training materials. In addition, as chief election officer, the Office of the Secretary of State may need to issue additional written guidance to local election officials, but we do not anticipate that any future guidance would arise to the level of an administrative rule or regulation.

5. With regard to the voter information provided on September 7, 2011, which indicated that 605,576 registered voters do not appear to have a Texas driver's license or other current form of photo identification issued by the DPS:
 - a. The number of registered voters in Texas, by race and by Spanish surname within county of residence, who currently possess a Texas driver's license or other form of photo identification issued by DPS that is current or has expired within sixty days. Please include a description of the manner in which you calculated these numbers;

Enclosed is a spreadsheet listing all 254 Texas counties, which shows the number of registered voters in each county. Please note that the statewide list of registered voters is a constantly changing database as it is continually updated by the counties. For the purposes of this question, all the voter data and the DPS data is current as of September 16, 2011. The spreadsheet breaks each county's voter registration data into three subsets. First, the spreadsheet shows the number of voters in each county who did not provide a Texas driver's license or personal identification card when they registered to vote. Providing a driver's license number or personal identification card number when registering to vote was optional until the federal Help America Vote Act was enacted in 2006. Second, the spreadsheet shows the number of voters in each county who did not provide a driver's license or personal identification card when they registered to vote, but whose voter record matches a driver/personal identification card record in the DPS database which means that the voter has been issued a driver's license or personal identification card. Third, the spreadsheet shows the number of voters in each county, who did not provide a driver's

Mr. T. Christian Herren, Jr.
Page 5

license or personal identification card number when they registered to vote, that could not be matched with driver's license or personal identification card in the DPS database of licensed drivers and personal identification card holders. The matching criteria that we used to identify voters between the voter file and the DPS file was last name, first name, and date of birth.

The process to register to vote in Texas does not require a voter applicant to state his or her race. Accordingly, we do not collect voter registration data by race. However, we can run the list of Hispanic surnames as developed by the US Census Bureau against the list of registered voters to determine how many voters have Hispanic surnames. Enclosed is the Hispanic Surname List developed by the US Census that we have input to our statewide voter database for the purpose of performing the Hispanic surname query. For each of the three subsets of data described above, we have also broken out the data by Hispanic surnames.

- b. For the 605,576 registered voters who the State has advised do not have a Texas driver's license or personal identification card, please provide the number of such person by Spanish surname, as well as an estimated number by race, within county of residence; and

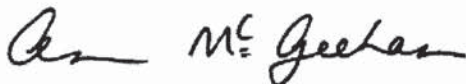
Please see the information provided on the attached spreadsheet.

- c. Describe any and all efforts, other than the requirements outlined in Section 5 of Chapter 123, to provide notice to these individuals of the requirements of S.B. 14 and the availability of a free DPS-issued identification.

Upon preclearance of Senate Bill 14, the Office of the Secretary of State intends to notify by mail each registered voter who may possess a Texas driver's license or personal identification card, but because of the matching criteria, may not have triggered a positive match when the official voter list was cross-referenced with the DPS data. This notification will explain the new photo identification requirements in Senate Bill 14 as well as explain how to obtain an election identification certificate, at no cost, from the DPS.

If you have any questions or need additional information, please contact Paul Miles, Staff Attorney at (512)475-2847 or myself at (512)463-9871.

Sincerely,



Ann McGeehan
Director of Elections

Enclosure

AM:PM:id

County	City	Hours of Operation	Late Day	Number of Employees	Office Type FT_PT_M
Anderson	Palestine	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Andrews	Andrews	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Angelina	Lufkin	8:00-5:00 M,T,W,Th,F	N/A	4	FT
Archer	Archer City	Closed temporarily	N/A	0	M
Armstrong	Claude	Closed temporarily	N/A	0	M
Atascosa	Jourdanton	8:00-5:00 M,T,W,Th,F	N/A	2	PT
Austin	Bellville	Closed temporarily	N/A	0	M
Austin	Sealy	Closed temporarily	N/A	0	M
Bailey	Muleshoe	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Bandera	Bandera	Closed temporarily	N/A	0	M
Bastrop	Bastrop	8:00-5:00 M,T,W,Th,F	N/A	4	FT
Bastrop	Elgin	Closed temporarily	N/A	0	M
Baylor	Seymour	9:15-3:45 T,W,Th	N/A	0	M
Bee	Beeville	8:00-5:00 M,Th,F 8:30-5:30 T,W	N/A	2	FT
Bell	Temple	8:00-5:00 T,W,Th,F	8:00-6:00 M	5	FT
Bell	Fort Hood	8:30-5:00 M,T,W	N/A	1	PT
Bell	Killeen	8:00-5:00 M,T,Th,F	8:00-6:00 W	7	FT
Bexar	San Antonio	8:00-5:00 M,T,W,Th,F	8:00-7:00 W	12	FT
Bexar	San Antonio	8:00-5:00 M,T,Th,F	8:00-7:00 W	19	FT
Bexar	San Antonio	8:00-5:00 M,T,Th,F	8:00-7:00 W	12	FT
Bexar	Universal City	8:00-5:00 M,T,Th,F	8:00-7:00 W	19	FT
Blanco	Johnson City	Closed temporarily	N/A	0	M
Borden	Gail	Closed temporarily	N/A	0	M
Bosque	Meridian	9:00-4:00 W,Th	N/A	0	PT
Bowie	New Boston	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Bowie	Texarkana	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Brazoria	Alvin	8:00-5:00 M,T,W,Th,F	N/A	5	FT
Brazoria	Angleton	8:00-5:00 M,T,W,Th,F	N/A	4	FT
Brazos	Bryan	8:00-5:00 M,T,W,F	8:00-7:00 Th	10	FT
Brewster	Alpine	8:30-5:00 M,T,W,Th,F closed 2nd T	N/A	1	PT
Briscoe	Silverton	Closed temporarily	N/A	0	M
Brooks	Falfurrias	8:30-4:00 T	N/A	0	M
Brown	Brownwood	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Burleson	Caldwell	Closed temporarily	N/A	0	M
Burnet	Marble Falls	8:30-5:00 M,T,W,Th,F	N/A	2	FT
Burnet	Burnet	8:30-5:00 M,W,F	N/A	1	PT
Caldwell	Lockhart	Closed temporarily	N/A	0	M
Calhoun	Port Lavaca	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Callahan	Baird	9:00-4:00 1st, 3rd, & 5th W	N/A	0	M
Callahan	Cross Plains	Closed temporarily	N/A	0	M
Cameron	Brownsville	8:00-5:00 M,T,W,Th,F	N/A	9	FT
Cameron	Harlingen	8:00-5:00 M,T,Th,F	8:00-7:00 W	6	FT

County	City	Hours of Operation	Late Day	Number of Employees	Office Type FT_PT_M
Cameron	Port Isabel	Closed temporarily	N/A	0	M
Camp	Pittsburg	Closed temporarily	N/A	0	M
Carson	Panhandle	9:00-4:00 1st,3rd,5th T	N/A	0	M
Cass	Atlanta	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Castro	Dimmitt	8:30-5:00 M,Th,F	N/A	1	PT
Chambers	Wallisville	8:00-4:30 M,T,W,Th,F	N/A	2	FT
Cherokee	Jacksonville	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Cherokee	Rusk	8:30-4:15 T,W	N/A	0	PT
Childress	Childress	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Clay	Henrietta	Closed temporarily	N/A	0	M
Cochran	Morton	Closed temporarily	N/A	0	M
Coke	Robert Lee	Closed temporarily	N/A	0	M
Coleman	Coleman	8:30-5:00 M,Th,F	N/A	1	PT
Collin	McKinney	8:00-5:00 M,T,W,Th,F	N/A	11	FT
Collin	Plano	7:30-5:00 T,W,Th,F	7:30-6:00 M	17	FT
Collingsworth	Wellington	Closed temporarily	N/A	0	M
Colorado	Columbus	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Comal	New Braunfels	8:00-5:00 M,T,W,Th,F	N/A	5	FT
Commanche	Comanche	8:30-5:00 T,W,Th,F	N/A	1	FT
Concho	Eden	Closed temporarily	N/A	0	M
Cooke	Gainesville	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Coryell	Copperas Cove	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Coryell	Gatesville	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Cottle	Paducah	Closed temporarily	N/A	0	M
Crane	Crane	8:30-5:00 M & F	N/A	1	PT
Crockett	Ozona	Closed temporarily	N/A	0	M
Crosby	Crosbyton	8:30-5:00 M,T,W,Th,F closed 1st Th	N/A	1	FT
Culberson	Van Horn	9:00-5:00 Th	N/A	0	PT
Dallam	Dalhart	9:00-4:00 T	N/A	0	PT
Dallas	Carrollton	8:00-5:00 M,W,Th,F	8:00-7:00 T	12	FT
Dallas	Cedar Hill	8:00-5:00 M,W,Th,F	8:00-7:00 T	9	FT
Dallas	Dallas	8:00-5:00 M,T,W,Th,F	N/A	6	FT
Dallas	Dallas	8:00-5:00 M,T,Th,F	8:00-7:00 W	19	FT
Dallas	Dallas	8:00-5:00 M,T,Th,F	8:00-7:00 W	11	FT
Dallas	Garland	8:00-5:00 M,T,W,F	8:00-7:00 Th	22	FT
Dallas	Grand Prairie	8:00-5:00 M,T,W,F	8:00-7:00 Th	7	FT
Dallas	Irving	8:00-5:00 M,T,W,F	8:00-7:00 Th	11	FT
Dawson	Lamesa	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Deaf Smith	Hereford	8:30-5:00 M,T,W,Th,F	N/A	2	FT
Delta	Cooper	Closed temporarily	N/A	0	M
Denton	Denton	8:00-5:00 M,T,W,Th,F	N/A	8	FT
Denton	Lewisville	8:00-5:00 M,T,W,Th,F	N/A	8	FT
Dewitt	Cuero	8:30-5:00 M,T,W,Th,F	N/A	1	FT

County	City	Hours of Operation	Late Day	Number of Employees	Office Type FT_PT_M
Dickens	Spur	Closed temporarily	N/A	0	M
Donley	Clarendon	9:00-3:45 Th	N/A	0	M
Duval	Freer	Closed temporarily	N/A	0	M
Eastland	Eastland	8:00-5:00 M,F 8:30-5:00 T,W,Th	N/A	2	FT
Ector	Odessa	8:00-5:00 M,T,Th,F	8:00-6:00 W	7	FT
Edwards	Rocksprings	Closed temporarily	N/A	0	M
El Paso	El Paso	7:00-6:00	N/A	13	FT
El Paso	El Paso	8:00-5:00 M,T,W,F	7:00-6:00 Th	7	FT
El Paso	El Paso	8:00-5:00 M,T,W,F	7:00-6:00 Th	8	FT
El Paso	El Paso	7:30-5:00 M,T,W,F	7:00-6:00 Th	13	FT
El Paso	Fort Bliss	7:30-5:00 M,T,W,Th,F	N/A	3	FT
Ellis	Waxahachie	8:00-5:00 M,T,W,Th,F	N/A	7	FT
Erath	Stephenville	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Fannin	Bonham	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Fayette	La Grange	Closed temporarily	N/A	0	M
Fayette	Schulenburg	Closed temporarily	N/A	0	M
Fisher	Roby	9:00-4:00 W open 1st,3rd, & 5th W	N/A	0	M
Floyd	Floydada	8:30-5:00 M,T,W,Th,F closed 2nd & 4th Th	N/A	1	PT
Foard	Crowell	Closed temporarily	N/A	0	M
Fort Bend	Rosenberg	8:00-5:00 M,T,W,Th,F	N/A	12	FT
Franklin	Mount Vernon	Closed temporarily	N/A	0	M
Freestone	Fairfield	9:00-4:00 W	N/A	0	PT
Frio	Pearsall	Closed temporarily	N/A	0	M
Gaines	Seminole	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Galveston	Galveston	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Galveston	Texas City	8:00-5:00 M,T,W,Th,F	N/A	6	FT
Garza	Post	Closed temporarily	N/A	0	M
Gillespie	Fredericksburg	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Glasscock	Garden City	Closed temporarily	N/A	0	M
Goliad	Goliad	Closed temporarily	N/A	0	M
Gonzales	Gonzales	8:30-5:00 M,T,W,Th,F	N/A	2	FT
Gregg	Longview	8:00-5:00 M,T,W,F	8:00-6:00 Th	6	FT
Grey	Pampa	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Greyson	Sherman	8:00-5:00 M,T,W,Th,F	N/A	5	FT
Grimes	Navasota	Closed temporarily	N/A	0	M
Guadalupe	Seguin	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Hale	Plainview	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Hall	Memphis	Closed temporarily	N/A	0	M
Hamilton	Hamilton	8:30-5:00 M,T,W	N/A	1	PT
Hansford	Spearman	Closed temporarily	N/A	0	M
Hardeman	Quanah	9:00-4:00 T 2nd,3rd,4th,5th T	N/A	0	M

County	City	Hours of Operation	Late Day	Number of Employees	Office Type FT_PT_M
Hardin	Kountze	2nd/4th Tues 9:00 - 4:00	N/A	0	PT
Harris	Houston	8:00-5:00 M,W,Th,F	8:00-7:00 T	17	FT
Harris	Houston	8:00-5:00 M,W,F	8:00-6:00 T,Th	41	FT
Harris	Houston	8:00-5:00 M,T,Th,F	8:00-7:00 W	15	FT
Harris	Houston	8:00-5:00 M,T,W,F	8:00-7:00 Th	17	FT
Harris	Houston	8:00-5:00 M,W,Th,F	8:00-7:00 T	13	FT
Harris	Baytown	8:00-5:00 M,T,W,Th,F	N/A	8	FT
Harris	Webster	8:00-5:00 M,W,Th,F	8:00-7:00 T	10	FT
Harris	Houston	8:00-5:00 M,T,W,F	8:00-7:00 Th	8	FT
Harris	Houston	8:00-5:00 M,T,W,Th,F	8:00-7:00 Th	15	FT
Harris	Humble	8:00-5:00 M,T,Th,F	8:00-7:00 W	10	FT
Harris	Pasadena	8:00-5:00 M,T,W,Th,F	N/A	10	FT
Harris	Katy	Closed temporarily	N/A	4	FT
Harrison	Marshall	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Hartley	Channing	Closed temporarily	N/A	0	M
Haskell	Haskell	8:00-5:30 M 8:30-4:30 F	N/A	1	PT
Hays	San Marcos	8:00-5:00 M,T,W,Th,F	N/A	5	FT
Hemphill	Canadian	9:00-4:00 T 2nd & 5th 9:00-4:00 W	N/A	0	M
Henderson	Athens	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Hidalgo	McAllen	8:00-5:00 M,T,Th,F	8:00-7:00 W	11	FT
Hildago	Edinburg	8:00-5:00 M,T,W,Th,F	N/A	7	FT
Hildago	Mission	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Hildago	Weslaco	8:00-5:00 M,T,W,Th,F	N/A	5	FT
Hill	Hillsboro	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Hockley	Levelland	8:30-5:00 M,T,W,Th,F	N/A	2	FT
Hood	Granbury	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Hopkins	Sulphur Springs	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Houston	Crockett	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Howard	Big Spring	9:15-3:45 M, T, W, Th, F	N/A	2	FT
Hudspeth	Dell City	Closed temporarily	N/A	0	M
Hudspeth	Sierra Blanca	Closed temporarily	N/A	0	M
Hunt	Greenville	8:00-5:00 M,T,W,Th,F	N/A	4	FT
Hutchinson	Borger	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Irion	Mertzon	Closed temporarily	N/A	0	M
Jack	Jacksboro	Closed temporarily	N/A	0	M
Jackson	Edna	Closed temporarily	N/A	0	M
Jasper	Jasper	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Jeff Davis	Fort Davis	Closed temporarily	N/A	0	M
Jefferson	Beaumont	8:00-5:00 M,T,W,F	8:00-6:00 Th	7	FT
Jefferson	Port Arthur	8:00-5:00 M,T,W,Th,F	N/A	3	FT

County	City	Hours of Operation	Late Day	Number of Employees	Office Type FT_PT_M
Jim Hogg	Hebbronville	Closed temporarily	N/A	0	M
Jim Wells	Alice	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Johnson	Cleburne	8:00-5:00 T,W,Th,F	8:00-6:00 M	5	FT
Jones	Anson	8:30-5:00 M,T,F 2nd & 4th W	N/A	1	PT
Karnes	Karnes City	Closed temporarily	N/A	0	M
Kaufman	Terrell	8:00-5:00 M,T,W,Th,F	N/A	4	FT
Kendall	Boerne	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Kent	Jayton	Closed temporarily	N/A	0	M
Kerr	Kerrville	8:30-5:00 M,T,W,Th,F	N/A	3	FT
Kimble	Junction	Closed temporarily	N/A	0	M
Kinney	Brackettville	Closed temporarily	N/A	0	M
Kleberg	Kingsville	8:00-5:00 M,W,Th,F 8:30-5:00 T	N/A	2	FT
Knox	Munday	8:30-4:15 W	N/A	0	M
La Salle	Cotulla	Closed temporarily	N/A	0	M
Lamar	Paris	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Lamb	Littlefield	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Lampasas	Lampasas	8:30-5:00 T,W,Th	N/A	1	PT
Lavaca	Hallettsville	Closed temporarily	N/A	0	M
Lee	Giddings	Closed temporarily	N/A	0	M
Leon	Centerville	8:00-5:00 M,T,W,Th,F	N/A	1	FT
Liberty	Cleveland	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Liberty	Liberty	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Limestone	Groesbeck	8:30-5:00 M,T,Th,F	N/A	1	PT
Lipscomb	Follett	Closed temporarily	N/A	0	M
Lipscomb	Higgins	Closed temporarily	N/A	0	M
Live Oak	George West	9:00-4:00 T,W	N/A	0	PT
Llano	Llano	9:00-4:30 T,Th	N/A	0	PT
Lubbock	Lubbock	8:00-5:00 M,T,W,F	8:00-7:00 Th	13	FT
Lubbock	Slaton	Closed temporarily	N/A	0	M
Lynn	Tahoka	Closed temporarily	N/A	0	M
Madison	Madisonville	Closed temporarily	N/A	0	PT
Martin	Stanton	9:00-4:00 T	N/A	0	PT
Mason	Mason	Closed temporarily	N/A	0	M
Matagorda	Bay City	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Matagorda	Palacios	Closed temporarily	N/A	0	M
Maverick	Eagle Pass	8:00-5:00 M,T,W,Th,F	N/A	3	FT
McCulloch	Brady	8:30-5:00 M,T,W,Th,F	N/A	1	PT
McLennan	Waco	8:00-5:00 M,W,Th,F	8:00-7:00 T	11	FT
McMullen	Tilden	Closed temporarily	N/A	0	M
Medina	Hondo	8:00-5:00 M,T,Th,F	N/A	2	PT
Menard	Menard	Closed temporarily	N/A	0	M
Midland	Midland	8:00-5:00 M,T,Th,F	8:00-6:00 W	7	FT
Milam	Cameron	8:30-5:00 M,Th,F	N/A	1	PT

County	City	Hours of Operation	Late Day	Number of Employees	Office Type FT_PT_M
Mills	Goldthwaite	9:00-4:00 Th	N/A	0	M
Mitchell	Colorado City	8:30-5:00 M,F	N/A	0	PT
Montague	Bowie	8:00-5:00 M,T,W,Th,F	N/A	2	PT
Montague	Nocona	Closed temporarily	N/A	0	M
Montgomery	Conroe	8:00-5:00 M,T,W,Th,F	N/A	13	FT
Moore	Dumas	8:30-5:00 M,W,Th,F	N/A	2	PT
Morris	Daingerfield	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Motley	Matador	Closed temporarily	N/A	0	M
Nacogdoches	Nacogdoches	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Navarro	Corsicana	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Nolan	Sweetwater	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Nueces	Corpus Christi	8:00-5:00 M,T,Th,F	8:00-7:00 W	15	FT
Ochiltree	Perryton	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Oldham	Vega	Closed temporarily	N/A	0	M
Orange	Orange	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Palo Pinto	Mineral Wells	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Panola	Carthage	8:00-4:30 M, W, F	N/A	1	FT
Parker	Weatherford	8:00-5:00 M,T,W,Th,F	N/A	5	FT
Parmer	Friona	9:00-4:30 T,W	N/A	0	PT
Pecos	Fort Stockton	8:30-5:00 M,T,W,Th,F	N/A	1	PT
Pecos	Iraan	Closed temporarily	N/A	0	M
Polk	Livingston	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Presidio	Presidio	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Presidio	Marfa	Closed temporarily	N/A	0	M
Raines	Emory	9:00-4:00 W	N/A	0	PT
Randall	Amarillo	8:00-5:00 M,T,W,F	8:00-7:00 Th	11	FT
Reagan	Big Lake	9:15-3:45 W & Th	N/A	0	PT
Real	Leakey	Closed temporarily	N/A	0	M
Red River	Clarksville	8:00-4:30 M,T,W,Th,F	N/A	1	FT
Reeves	Pecos	8:30-5:00 M,T,W,F	N/A	1	PT
Refugio	Refugio	Closed temporarily	N/A	0	M
Roberts	Miami	Closed temporarily	N/A	0	M
Robertson	Hearne	Closed temporarily	N/A	0	M
Rockwall	Rockwall	8:00-5:00 M,T,W,Th,F	N/A	4	FT
Runnels	Ballinger	8:45-4:15 T,W	N/A	0	PT
Rusk	Henderson	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Sabine	Hemphill	Closed temporarily	N/A	0	M
San Jacinto	Coldspring	Closed temporarily	N/A	0	M
San Patricio	Aransas Pass	8:00-5:00 M,T,W,Th,F	N/A	2	FT
San Patricio	Sinton	8:30-5:00 M,T,W,Th,F	N/A	1	FT
San Saba	San Saba	Closed temporarily	N/A	0	M
Schleicher	Eldorado	Closed temporarily	N/A	0	M
Scurry	Snyder	8:30-5:00 T,W,Th	N/A	1	PT
Shackelford	Albany	Closed temporarily	N/A	0	M
Shelby	Center	8:00-4:30 M,T,W,Th,F	N/A	1	FT

County	City	Hours of Operation	Late Day	Number of Employees	Office Type FT_PT_M
Sherman	Stratford	Closed temporarily	N/A	0	M
Smith	Tyler	8:00-5:00 M,T,W,F	8:00-6:00 Th	9	FT
Starr	Rio Grande City	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Stephens	Breckenridge	1:30-5:00 T 8:30-5:00 W,Th	N/A	1	PT
Sterling	Sterling City	Closed temporarily	N/A	0	M
Stonewall	Aspermont	Closed temporarily	N/A	0	M
Sutton	Sonora	9:30-3:15 Th	N/A	0	M
Swisher	Tulia	8:30-4:30 T,W	N/A	0	PT
Tarrant	Arlington	7:30-5:00 T,W,Th,F	7:30-6:00 M	16	FT
Tarrant	Fort Worth	7:30-5:00 T,W,Th,F	7:30-6:00 M	12	FT
Tarrant	Hurst	7:30-5:00 T,W,Th,F	7:30-6:00 M	16	FT
Tarrant	Lake Worth	7:30-5:00 T,W,Th,F	7:30-6:00 M	12	FT
Taylor	Abilene	8:00-5:00 M,T,Th,F	8:00-6:00 W	8	FT
Terrell	Sanderson	Closed temporarily	N/A	0	M
Terry	Brownfield	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Throckmorton	Throckmorton	Closed temporarily	N/A	0	M
Titus	Mount Pleasant	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Tom Green	San Angelo	8:00-5:00 M,T,Th,F	8:00-6:00 W	6	FT
Travis	Austin	8:00-5:00 M,T,W,Th,F	N/A	1	FT
Travis	Austin	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Travis	Austin	8:00-5:00 M,W,Th,F	8:00-7:00 T	22	FT
Travis	Austin	8:00-5:00 M,T,W,F	8:00-7:00 Th	15	FT
Trinity	Trinity	Closed temporarily	N/A	0	M
Tyler	Woodville	9:00 - 4:00 W,Th	N/A	0	PT
Upshur	Gilmer	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Upton	McCamey	Closed temporarily	N/A	0	M
Upton	Rankin	Closed temporarily	N/A	0	M
Uvalde	Uvalde	8:00-5:00 M,W,Th,F 8:30-5:00 T	N/A	2	FT
Val Verde	Del Rio	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Van Zandt	Canton	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Victoria	Victoria	8:00-5:00 M,T,W,Th,F	N/A	5	FT
Walker	Huntsville	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Waller	Hempstead	8:00-5:00 M,T,W,Th,F	N/A	3	FT
Ward	Monahans	8:30-5:00 M,T,Th,F	N/A	1	PT
Washington	Brenham	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Webb	Laredo	8:00-5:00 M,T,W,Th,F	N/A	10	FT
Wharton	El Campo	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Wheeler	Shamrock	9:00-3:45 1st,3rd,5th T 9:00-3:45 Th	N/A	0	M
Wheeler	Wheeler	Closed temporarily	N/A	0	M
Wichita	Wichita Falls	8:00-5:00 M,T,W,F	8:00-7:00 Th	8	FT

County	City	Hours of Operation	Late Day	Number of Employees	Office Type FT_PT_M
Wilbarger	Vernon	8:00-5:00 M,W,F 8:30-5:00 T	N/A	2	FT
Williamson	Austin	8:00-5:00 M,T,Th,F	8:00-7:00 W	11	FT
Williamson	Georgetown	8:00-5:00 M,T,W,Th,F	N/A	5	FT
Williamson	Taylor	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Wilson	Floresville	8:30-5:00 M,T,W,Th,F	N/A	2	FT
Winkler	Kermit	8:30-4:15 W 9:00-3:45 Th	N/A	0	PT
Wise	Decatur	8:00-5:00 M,T,W,Th,F	N/A	4	FT
Wood	Quitman	8:00-5:00 M,T,W,Th,F	N/A	2	FT
Yoakum	Denver City	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Young	Graham	8:30-5:00 M,T,W,Th,F	N/A	2	FT
Young	Olney	Closed temporarily	N/A	0	M
Zapata	Zapata	8:30-5:00 M,T,W,Th,F	N/A	1	FT
Zavala	Crystal City	8:00-4:30 M,T,W,Th,F	N/A	1	FT

TABLE OF CONTENTS

INTRODUCTION	1
CHAPTER 1. THINGS TO DO BEFORE THE POLLS OPEN	
Section A. Prepare the Polling Place	2
Section B. Poll Watchers	7
Section C. Election Inspectors	9
CHAPTER 2. QUALIFYING THE VOTER	
Processing the Voter	11
Situation 1, The Ideal Voter	12
Situation 2, No Certificate, But Name on List.....	13
Situation 3, The Voter has Moved.....	14
Situation 4, Voter with "ID" Notation on List	16
Situation 5, Expired Voter Registration Certificate.....	17
Situation 6, The Voter Presents a Valid Certificate, But the Voter's Name is Not on the List of Registered Voters	18
Situation 7, Incorrect Precinct Number	19
Situation 8, Voter with No Evidence of Registration.....	20
Situation 9, Provisional Voter	22
Situation 10, Early Voting – Cancellation.....	23
Situation 11, Early Voting – Notice of Defective Delivery	24
CHAPTER 3. VOTING	
Section A. Persons Allowed Inside the Polling Place	25
Section B. General Instructions to a Voter	26
Section C. Rendering Assistance to a Voter	26
Section D. Using English and Interpreters	28
Section E. Miscellaneous Provisions	28
Section F. Casting the Ballot	30
CHAPTER 4. EXAMINING, PREPARING AND COUNTING VOTED BALLOTS	
Section A. Procedures for Counting Optical Scan Ballots, Including Write-In Ballots, at Polling Place Using Precinct Ballot Counters.....	31
Section B. Pre-locked, Pre-sealed Ballot Box Procedures for Optical Scan Ballots Counted at a Central Counting Station.....	35
Section C. Preliminary Counting Procedure for Hand Counted Paper Ballots.....	35
Section D. The Counting Procedure for Paper Ballots.....	36
Section E. Rules for Counting Paper Ballots.....	36
Section F. Using DRE Equipment at the Polling Place.....	43
CHAPTER 5. CLOSING AND SECURING THE POLLING PLACE	
Section A. Closing the Polling Place	44
Section B. Distribution of Election Records when Optical Scan Ballots are Tabulated at Polling Place or when Accessible Voting Equipment (such as DREs) Are Used.....	45
Section C. Distribution of Election Records when Ballots are Tabulated at Central Counting Station	48
Section D. Making out Returns and Distribution of Election Records when Paper Ballots Are Used.....	51
Section E. Securing the Polling Place	54

INTRODUCTION

The Elections Division of the Secretary of State's Office has prepared this handbook for use on election day by election judges and clerks serving in precinct polling places. This handbook contains a thorough outline of polling place procedures for all elections. It incorporates changes in the election law, which will be effective on or before January 1, 2009.

The handbook starts at the beginning of election day and covers voter qualification and assistance, as well as the basics for closing the polling place. Throughout the handbook, references are made to the appropriate section in the Texas Election Code or the Texas Administrative Code, unless otherwise indicated. Information in *italics* relates to primary elections.

The Elections Division of the Secretary of State's Office is open during the hours that the polls are open for voting on all uniform election dates. Answers to questions on election law and procedures may be obtained by telephoning the Elections Division toll-free at 1-800-252-VOTE(8683) or (512) 463-5650.

Please visit us at our Internet home page for additional election information at <http://www.sos.state.tx.us>.

The Office of the Secretary of State does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of services.

2009 LEGISLATIVE UPDATE

House Bill 719 provides that "vote here" type signs used during primary elections must include neither political party name or symbol or all political party names and symbols holding an election at the polling place. [Sec. 172.127]

House Bill 1256 requires the presiding judge to post one or more copies of a new notice called "Voter Complaint Information" in the polling place. The notice must inform voters who to call or write if they have complaints about the conduct of the election. [Sec. 62.0112]

House Bill 1493 adds an exception to the requirement that no wireless communications are allowed in the polling place by allowing persons employed at the location to use electronic devices. Therefore, if a person employed in the building wants to use a cell phone, they do not risk violating the electronic devices prohibition passed in 2007. [Sec. 61.013(d)]

Senate Bill 1134 provides that certain high school students are eligible to serve as election clerks. [Secs. 32.051, 32.0511]

Senate Bill 1970 makes two changes concerning polling place procedures. First, the eligibility to vote a limited ballot is restricted to those persons whose voter registration is still effective in their former county of residence. Limited ballots are available during early voting only. Second, a voting system technician is now permitted in the polling place if the authority holding the election authorizes a voting system technician to be present at the polling place, EVBB, or central counting station for repairs, maintenance, assembling, or operating voting system equipment. [Sec. 125.010]

CHAPTER 1

THINGS TO DO BEFORE THE POLLS OPEN

SECTION A. PREPARE THE POLLING PLACE

1. The presiding judge administers the election officials' oath to himself or herself and to the clerks. [Sec. 62.003]

"I swear (or affirm) that I will not in any manner request or seek to persuade or induce any voter to vote for or against any candidate or measure to be voted on, and that I will faithfully perform my duty as an officer of the election and guard the purity of the election."

2. The presiding judge and clerks must wear name tags or official badges while on duty, which indicate the person's name and title or position as an election officer. If there are no name tags in your election kit, you may make your own. (State and federal election inspectors are also required to wear name tags, as are peace officers assigned to the polling place.) [Sec. 61.010(b)]
3. The judge reviews work schedules and assignments with the clerks. [Sec. 32.072] The presiding judge may allow some clerks to end their service at the polling place before the polls close (i.e., work in shifts), but may not allow clerks to leave the polling place after the counting of ballots has begun, except for temporary absences. [Sec. 32.073] Additionally, the presiding judge may allow some clerks to begin their service at the polling place later than 7:00 a.m. on election day. [Sec. 32.072(b)] The presiding judge may permit temporary absences for meals or other necessary activities. [Sec. 32.073(a)] The judge must treat clerks uniformly in designating their working hours and duties and in regulating temporary absences. [Secs. 32.072(c), 32.073(c)]
4. The list of registered voters, if not already annotated, must be marked by the election judge before voting begins on election day to indicate voters whose names appear on the precinct early voting list. [Sec. 62.014(b)]

NOTE: *In a primary election, a second list of registered voters is provided at the polling place and must also be marked to indicate who voted, including those whose names appear on the precinct early voting list. This second list is given to the precinct chair after the polls close and is used to qualify precinct convention participants. [Sec. 172.1141]*

5. If a registration correction list is provided, an election official must change the list of registered voters to make it conform to the registration correction list. [Sec. 62.014(a)]
6. Physically arrange the polling place.
 - a. Arrangement of tables and chairs.
 - (1) Place table(s) and chairs near the entrance to the polling place for the clerks who will be accepting the voters.
 - (2) Post the required sample ballot in one or more locations where it can be read by persons waiting to vote.
 - (3) Establish a voting area.
 - Voting booths that provide voters privacy while voting must be provided at all polling places. Voting booths must meet the regulatory specifications for voting booths, or have been approved for use by the Secretary of State. [Sec. 51.032; 1 T.A.C. § 81.70]
 - Arrange the voting booths in such a way that they are in view of the election officials, watchers, and persons waiting to vote but are separated from voters who are waiting to vote.

They must be arranged to prevent access to the voting area through any entrance other than the one designated. [Sec. 62.004]

- Make sure voting area is adequately lighted. [Sec. 62.004(3)]
- Place indelible markers (makes marks that cannot easily be removed or erased) in each voting booth where voters will be preparing their ballots. [Sec. 62.015]
- Establish an area convenient to the voting booths, in view of election officials, for placement of the locked ballot box (Ballot Box No. 1) in which voters will deposit their voted ballots. [Sec. 62.006]

(4) Establish an area for counting voted ballots (if applicable).

- This area should be in a separate room from the voting area, or removed from the voting area as much as possible, so that individuals counting ballots cannot be heard nor the voted ballots seen by voters.

b. Prepare the table(s) for accepting and qualifying voters.

NOTE: More than one qualifying table may be set up by dividing the list of registered voters into sections of the alphabet, for example, A-G and H-Z.

(1) Place the following election forms and supplies on each table:

- Lists of registered voters, including supplemental and correction lists, or a revised original list. [Secs. 18.001, 18.002, 18.003, 18.004]
- Registration omissions list. [Sec. 63.005]
- Combination form (combination of two or more of the forms below denoted by an “*”). [Sec. 63.004]
- Poll list.* [Sec. 63.003]
- Signature roster.* [Sec. 63.002]
- Affidavits.
 - (a) Voter without certificate who is on list.*
 - (b) Voter with incorrect certificate who is not on list.*
- Provisional Ballot Affidavit Envelope. [Sec. 63.011]
- List of Provisional Voters. [1 T.A.C. §§ 81.172 – 81.174]
- Notice to Provisional Voter. [1 T.A.C. §§ 81.172 – 81.174]
- Secrecy Envelopes for Provisional Ballots. [1 T.A.C. §§ 81.172 – 81.174]
- List of ID Voters.
- Statement of Residence. [Secs. 11.004, 63.0011] Voter signs this statement if the voter has moved within the county to another election precinct in the same county and resides in each political subdivision for which the voter offers to vote. The voter may vote a full county ballot in the election precinct of former residence, regardless of how long ago the voter moved.
- The "voted" stamp and ink pad used for stamping the list of registered voters. While it is not necessary that the election officials use a "voted" stamp and ink pad, they must make a notation on the list of registered voters that a person has voted. [Sec. 63.001]

NOTE: *In a primary election, the presiding judge is given two lists of registered voters. The second list is given to the precinct chair after the polls are closed and is used to qualify participants in the precinct convention. The election judge of a primary election must make a notation next to the voter's name on the second list of registered voters, as well as the list that is returned to the voter registrar. [Sec. 172.1141]*

- The party affiliation stamp for stamping voter registration certificates in a primary election. [Sec. 162.004(b)]
 - Certificates of party affiliation in a primary election for those voters who do not have a voter registration certificate. [Sec. 162.004(c)]
 - Official ballots. An election official must arrange a supply of numbered ballots, all face down, and out of numerical order. [Sec. 62.009(a), (b)]
 - Provisional ballots. An election official must set aside a sufficient number of provisional ballots and stamp or write on the back of each ballot "provisional" next to the presiding judge's signature. [1 T.A.C. §§ 81.172 – 81.174]
 - Provisional stamp. [1 T.A.C. §§ 81.172 – 81.174]
 - Register of spoiled ballots. [Sec. 64.007(c)]
 - Request to cancel application to vote by mail. [Sec. 84.032]
 - Envelope No. 5. *In a primary election, it is addressed to the County Chair.*
- c. Post distance markers, sample ballots, and other instructions.

- (1) Post distance markers 100 feet in each direction from all entrances through which voters may enter the building in which the polling place is located. [Secs. 61.003(a), 62.010(a)] Distance marker must include in large letters, "DISTANCE MARKER. NO ELECTIONEERING OR LOITERING BETWEEN THIS POINT AND THE ENTRANCE TO THE POLLING PLACE."

NOTE: Election officials (or appointed peace officers) may not enforce the electioneering or loitering statutes OUTSIDE the 100 ft. distance marker. [Sec. 32.075]

- (2) Post instruction posters and lists of declared write-in candidates (for the primary election for the office of precinct chair and county chair), the November general election, city council officer elections, independent and common school district trustee elections, special elections for state representative and state senator, and other elections required by law, the list of declared write-in candidates must be posted next to each instruction poster. [Secs. 144.006, 146.031(d), 146.054, 146.055, 146.082, 171.0231 Election Code; Secs. 11.056(c), 11.304, 130.081, 130.0825, Education Code; Sec. 285.131, Health and Safety Code; Secs. 326.0431 & 326.0432, Local Government Code; Secs. 36.059, 49.101, 63.0945, Water Code]

NOTE: *In a primary election, write-in voting is not permitted except for the party offices of county chair and precinct chair. A write-in vote may not be counted unless the name appears on the list of write-in candidates. If no candidate filed for the office of precinct chair or county chair, then that office is not printed on the ballot. [Secs. 171.0231, 172.112]*

If only one candidate files for precinct chair (for the ballot or as a write-in) the election for that office is not held, and the county chair shall prepare a sign notifying voters that the candidate will be declared elected to the office at the time

of the local canvass. An election officer shall post the sign in one or more locations in the polling place.

- (3) A voter complaint poster, which contains contact information for state and local election officials, must be posted in the polling place. Post the "Voter Information Poster" in a location where it can be read by persons waiting to vote.
 - (4) *Post the party sign over the entrance to the polling place in a primary election.*
NEW LAW: "Vote Here" signs used during primary elections must include neither political party name and/or symbol or all political party names and/or symbols. [Sec. 172.127]
 - (5) Post the required sample ballots in easily observed locations within the polling place. [Sec. 62.012]
 - (6) Place Notice of Prohibition of Certain Devices in locations throughout polling place where it can be read by persons waiting to vote. The use of wireless communications devices (e.g. cell phones) and recording devices (e.g. cameras) are prohibited in a polling place. [Sec. 62.011]
NEW LAW: House Bill 1493 creates an exception to the prohibition against wireless devices in the polling place by permitting persons employed at the location to use electronic devices.
 - (7) No election material may be posted at a polling place, including the area within a 100 feet radius of an outside door through which a voter may enter the building where the polling place is located, unless it is required or allowed by law. [Sec. 62.013]
 - (8) No person other than an election judge or clerk may post materials in a polling place or within 100 feet radius of the entrance to the polling place. [Sec. 62.013]
 - (9) A notice of the number of voters who have voted must be posted at an outside door to the polling place every two hours, beginning at 9:30 a.m. and running through 5:30 p.m., on a form prescribed by the Secretary of State, unless that form is unavailable. [Sec. 61.007]
 - (10) *For the general primary election, a notice of the time and place of the precinct convention must be posted at each door through which a voter may enter the polling place. [Sec. 172.1111]*
- d. Open and inspect all ballot boxes, if paper or optical scan ballots are used in the election. [Sec. 62.005]
- (1) Make sure that each ballot box is empty.
 - (2) Make sure that each ballot box has a working lock and a key that opens the lock, unless pre-locked, pre-sealed boxes are used for central counting. [Sec. 51.034(a)]
- e. Prepare the official ballots, if paper or optical scan ballots are used in the election.
- (1) Record the total number of ballots received on the "Register of Official Ballots" form. [Sec. 65.013]
 - (2) Inspect the official ballots to see that they are properly-printed and numbered. [Sec. 65.013]
 - Remove any ballot that is not numbered or that is otherwise defectively-printed. [Sec. 62.007]
 - Count the defective and/or unnumbered ballots and enter this number on the Register of Official Ballots form. [Sec. 65.013(b)(2)]

- Place defective and/or unnumbered ballots in Ballot Box No. 4 (or other designated container). [Sec. 62.007(b)]
- Place Ballot Box No. 4 (or other designated container) in a protected place near the clerks at the qualifying table so that any mutilated ballot returned by a voter for a new ballot can be easily deposited in this ballot box.

NOTE: Ballot Box No. 4 (or other designated container) is used for delivering defectively-printed, spoiled, or unused ballots and in paper ballot elections, the ballots sealed in the Provisional Voter Affidavit Envelopes, unless the judge has been directed to place the Envelopes in a different container. [Sec. 66.026]

- (3) Place the presiding judge's full name on the back of each ballot. [Sec. 62.008]
 - If a stamp of the judge's signature is provided, a clerk may stamp the back of each ballot with this signature stamp. An election clerk may not forge the signature of the judge. [Sec. 62.008(b)]
 - Ballots may be signed or stamped as needed throughout the day. Unsigned ballots may not be made available for selection by voters. [Sec. 62.008(c)]
- (4) Mix the signed or stamped ballots so that they are not in numerical order. [Sec. 62.009(a)]
- (5) Place the mixed ballots face down on the acceptance table(s). [Sec. 62.009(b)]
- (6) Set aside a sufficient number of official ballots and stamp or write on each ballot "Provisional" next to the judge's signature. Also, set aside a sufficient number of "Notices to Provisional Voter." Alongside these provisional ballots, keep a sufficient number of provisional voter affidavit envelopes.

SPECIAL EMERGENCY BALLOT NOTE: If, before the last voter has voted, the supply of official ballots is exhausted, destroyed, or lost, or if the presiding judge determines that the official ballots are erroneously-printed so that they may not be used in the election, the presiding judge should immediately contact the authority responsible for distributing the supplies for the election and obtain additional official ballots for use at the polling place. If official ballots are unavailable, the presiding judge must create emergency ballots himself or herself. The makeshift ballots must contain all of the offices and/or propositions to be voted on, must be numbered consecutively with unique numbers, and must be designed in the same format as the official ballot. [Sec. 52.001(b)] The judge may make copies of sample ballots after blocking out the words "Sample Ballot," number the copies, and provide these copies for voters to mark ballots. It is recommended that the judge indicate, in a memorandum attached to the Register of Official Ballots, if he or she has provided or been provided with ballots other than those initially supplied to the polling place, set forth the circumstances necessitating their use, and record the numbers of the ballots.

- f. Placement of the remaining ballot boxes, if paper or precinct optical scan ballots are used in the election.
 - (1) Lock Ballot Box No. 1 and place it in the area established for depositing voted ballots. [Sec. 62.006]
 - (2) Place Ballot Box No. 2 in a protected place which is in public view and convenient for the interchange with Ballot Box No. 1. [Sec. 65.003]
 - Ballot Boxes Nos. 1 and 2 are used on a rotating basis for the deposit of ballots by the voters.

- Each time the ballot boxes are changed, make sure the ballot box replacing the ballot box containing the voted ballots is empty and locked before it is put into place for use by voters.
- g. For elections using direct record electronic devices ("DREs"), follow the instructions from the authority conducting the election concerning the placement of DREs and any associated procedures. But at a minimum, you must follow these procedures:
 - The presiding judge shall verify and document the serial numbers of the equipment delivered to the polling site.
 - Look for evidence of tampering.
 - Verify that the Public Count is "0" on each applicable device.
 - Check the accuracy of the date and time on applicable equipment.
 - Confirm that all units are open for voting.
 - At a minimum, print one zero tape from each applicable device (DRE and Precinct Count Optical Scan).
 - The presiding judge, an election clerk, and not more than two poll watchers, if one or more watchers are present, shall sign the zero tape.
 - The zero tapes must be placed in a secure location to be returned with the election materials.
- h. The presiding judge must secure the polling place if it is left unattended at anytime after the preparation for voting begins. [Sec. 62.001(b)]

SECTION B. POLL WATCHERS

1. A watcher who presents himself or herself at any time on election day with a certificate of appointment must be accepted for service unless the person is ineligible to serve or the number of appointees to which the appointing authority is entitled has already been accepted. [Sec. 33.051(c)] To be eligible to serve as a poll watcher, a person must:
 - be a registered voter of the territory (e.g., city, school district) covered by the election and of the county for November general elections, *primary elections*, or other countywide elections; [Sec. 33.031]
 - not be a candidate for public office in an election held on the day the watcher seeks to serve; [Sec. 33.032]
 - not hold an elective public office; [Sec. 33.033]
 - not be an employee of an election judge or clerk serving at the same polling place; [Sec. 33.035]
 - not been finally convicted of an offense in connection with conduct directly attributable to an election; [Sec. 33.035] and
 - not be related within the second degree of consanguinity or affinity (as determined by Tex. Govt. Code, Chapter 573, Subchapter B, Secs. 573.022 - 573.025) to an election judge or clerk serving at that polling place. A watcher may be related to the candidate the watcher is representing. [Sec. 33.033]

A candidate on the ballot, a campaign treasurer of a specific-purpose political action committee in an election on a measure, or a political party in the November general election may appoint up to two watchers per polling place. A write-in candidate whose name appears on the list of declared write-in

candidates may also appoint poll watchers, and a group of registered voters may appoint a watcher for an undeclared write-in candidate for elections where declaration is not required. [Secs. 33.002 - 33.005]

2. A poll watcher may not be accepted for service if he or she possesses any mechanical or electronic means of recording images or sound. The presiding judge may inquire whether a watcher has possession of any prohibited recording device before accepting the watcher for service. [Sec. 33.051(c)]
3. A poll watcher may not use wireless communication devices (e.g. cell phones) in a polling place.
4. The poll watcher must present his or her poll watcher's certificate of appointment to the presiding judge when he or she reports for service. [Sec. 33.051(a)]
 - a. The certificate must be in writing and must include the following: [Sec. 33.006]
 - (1) Name, residence address, and voter registration number of the poll watcher;
 - (2) The election and the number of the precinct where the poll watcher is to serve;
 - (3) The signature of the person(s) making the appointment;
 - (4) The signature of the poll watcher;
 - (5) An indication of the capacity in which the appointing authority is acting;
 - (6) In an election on a measure, an identification of the measure (if more than one is to be voted on) and a statement of which side the appointee represents; and
 - (7) An affidavit executed by the poll watcher that the poll watcher will not have possession of any mechanical or electronic means of recording images or sound while serving as a watcher.
 - b. The presiding judge must require the poll watcher to countersign his or her signature on the certificate of appointment and compare and verify the signatures. [Sec. 33.051(b)] The completion of the affidavit in front of the presiding election judge serves as the counter signature. **NOTE:** It is not necessary to notarize a certificate of appointment.
 - c. The judge must keep the certificate of appointment in Envelope No. 2 for return to the custodian of election records after the election. [Sec. 66.023(7)]
 - d. If a watcher is not accepted for service, the presiding judge must return the certificate of appointment to the watcher with a signed statement of the reason for the rejection. [Sec. 33.051(e)]
5. Poll watchers are NOT permitted to wear name tags. [Sec. 61.010(a)] An election judge or clerk, inspector, or peace officer shall wear a name tag indicating his or her position, as long as there is no symbol, language, design, color, or other feature of the name tag or badge which could be construed as a position for or against a candidate, party, or measure on the ballot. Wearing an unauthorized name tag or badge within the polling area while on duty is a Class C misdemeanor. [Sec. 61.010]
6. Service, duties, and privileges of poll watchers.
 - a. A watcher may not leave the polling place while the polls are open and be readmitted unless the watcher has served for five continuous hours. If the watcher has served for five continuous hours, and is present when ballots are counted, the watcher may not leave and return until the counting is complete. [Sec. 33.052]

EXCEPTION: If a poll watcher leaves the polling place in order to use a wireless communication device AND promptly returns, he or she is considered to have served continuously as that terms is used for calculating their continuous 5 hours, which allows them to come and go. [Sec. 33.052(b)]

- b. A watcher must be permitted to observe all election activities performed by the election judge and clerks and to inspect the returns and other records prepared by the election judge and clerks. [Sec. 33.056]
 - (1) A watcher is entitled to sit or stand conveniently near the election officials conducting the observed activity. [Sec. 33.056(a)]
 - (2) A watcher is entitled to sit or stand near any member of the counting team to verify that the ballots are read correctly and/or that they are tallied correctly. [Sec. 33.056(b)]
 - (3) A watcher may make written notes while on duty. However, if the watcher leaves the polling place while the polls are open, he or she may be required to leave his or her written notes with another person selected by the watcher, who is on duty at the polling place. [Sec. 33.056(d)]
- c. A watcher may not talk with the judge, clerks, or voters regarding the election while it is in progress, except to point out to an election judge and/or clerk any observed irregularity or violation of the law. [Sec. 33.058]
 - If a watcher points out to an election clerk an occurrence that the watcher believes to be irregular and the clerk refers the watcher to the presiding judge, the watcher may not discuss the matter further with the clerk unless the presiding judge invites the discussion. [Sec. 33.058]
- d. A watcher who asks to accompany the election official who delivers election records must be permitted to do so. [Sec. 33.060(a)]
 - If the delivery is made in a vehicle, it is sufficient to allow the watcher to follow in a different vehicle and to drive in such a manner that the watcher may keep the delivery vehicle in sight. [Sec. 33.060(b)]
- e. A watcher is not permitted to converse with any voter, or communicate with or signal to any voter in any manner regarding the election. [Sec. 33.058(a)]
- f. A watcher may not watch a voter vote except when a voter is being assisted by election officials. A watcher may not watch a voter vote if the voter is being assisted by a person other than an election official. [Sec. 33.057]
- g. **Preventing a watcher from observing any activity the watcher is entitled to observe is a Class A misdemeanor.** [Sec. 33.061]

SECTION C. ELECTION INSPECTORS

- 1. Inspectors are appointed by the Secretary of State and are responsible to the Secretary of State. [Sec. 34.001]
- 2. An inspector must wear an identifying name tag or badge while on duty at a polling place. [Sec. 61.010(b)]
- 3. Inspectors must be permitted to observe all election activities performed by the election judges and clerks. [Sec. 34.002]
- 4. Inspectors are not required to be at the polling place when the polls open or remain in the polling place until the polls close.
- 5. Inspectors are not required to take an oath administered by the election judge.
- 6. Inspectors will have identification cards issued by the Secretary of State. The presiding judge should request identification from the inspector. Anyone purporting to be an inspector who cannot produce identification as an inspector should not be permitted in the polling place. Please note that the SOS inspector will be wearing a name tag that will also serve as their identification card.

7. Federal observers may also be appointed under 42 U.S.C.A. § 1973f. These observers will produce appropriate identification. Federal observers must also wear a name badge.

CHAPTER 2

QUALIFYING THE VOTER

PROCESSING THE VOTER

Open the doors to the polling place at 7:00 a.m. and direct voters to the voter acceptance table. Then follow these basic steps which apply for all voters. [Sec. 41.031]

- a. An election official at the acceptance table should ask the voter to present a voter registration certificate. [Sec. 63.001(b)]
 - If the voter presents a certificate, the election official should check the effective date on the certificate to determine if the voter is qualified to vote in the election and make sure the voter has signed the certificate.
- b. If the voter does not have a voter registration certificate, then the voter must present identification. [Secs. 63.009, 63.0101] Acceptable forms of identification include:
 - (1) a driver's license or personal identification card issued by the Texas Department of Public Safety or similar documents from other states;
 - (2) a form of identification containing a photograph that establishes a person's identity (such as an employee identification card);
 - (3) a birth certificate or other document confirming birth that is admissible in a court of law and establishes a person's identity;
 - (4) United States citizenship papers;
 - (5) a United States passport;
 - (6) official mail addressed to the person by name from a governmental agency;
 - (7) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or
 - (8) any other form of identification presented by the Secretary of State's office.

NOTE: The entity conducting the election may authorize an election officer to access electronically readable information on a driver's license or personal identification card for proof of identification when determining whether a voter shall be accepted for voting. [Sec. 63.0102]

- c. The election official checks the list of registered voters to see if the voter's name appears with any special annotations. The three annotations are "S" for suspense, "ID" for voter who must present identification in addition to a voter registration certificate, and a "voted" annotation if the voter has voted early.
- d. After determining that the voter is registered, the voter must be asked if the residence address on the list of registered voters has changed. An "S" notation by a voter's name means that the voter may have moved. If the voter has moved within the county, or is on the S-list, the voter must sign the Statement of Residence before being permitted to vote. A voter who has moved within the county must vote in their former precinct of residence, according to their "old" registration address.

NOTE: If the election is conducted for a city, school district, or other local political subdivision, in addition to residing in the county, the voter must still reside in the city, school district, or other local political subdivision in order to be eligible to vote.

- e. **SUMMARY:** These are the basic steps that apply to every voter:

- (1) Ask for voter registration certificate or identification;
- (2) Check voter registration list for:
 - (a) voter's name;
 - (b) registration status;
 - (c) early voting status;
 - (d) suspense list status (on "S-list"); and
 - (e) ID status.
- (3) If not on suspense list, ask voter if the residence address on the list of registered voters has changed.

At this point, determine which of the situations below applies to the voter and follow the steps outlined after the particular situation to process the voter.

SITUATION 1. The Ideal Voter

The voter presents a current voter registration certificate indicating he or she is registered to vote in the precinct, and the voter's name appears on the precinct's list of registered voters.

- Ask the voter if the voter's residence address on the precinct list of registered voters is current and whether the voter has changed residence within the county. [Sec. 63.0011] In an ideal voter situation, the voter's address will be current and the voter will not have changed residence within the county.

NOTE: Some voters may not have their addresses on the list of registered voters due to their participation in an address confidentiality program. Nevertheless, election judges should continue to ask whether or not the voter has moved from the address the voter is registered to vote.

- Stamp "voted" or place some other notation next to the voter's name on the list of registered voters to indicate that the voter has been accepted for voting. [Sec. 63.001(e)]
- *In a primary election, stamp "voted" in the same manner on the second list of registered voters that is to be given to the precinct chair for use at the precinct convention after the polls close. [Sec. 172.1141]*
- *In a primary runoff election, only one list of registered voters is used. This list will indicate voters who voted in the first primary of the opposite party. If a voter attempts to vote in a party primary runoff of a different party than the one in which the voter voted in the first primary, the voter is ineligible to vote. A voter becomes affiliated with a political party when the voter votes in that party's primary. A person commits an offense if the voter votes or attempts to vote in a primary election after having voted in a primary election of another party during the same voting year. (The voting year is January 1 through December 31.) [Sec. 162.014]*
- Have the voter sign the signature roster (or combination form). [Sec. 63.002(b)]
- If the voter cannot sign his or her name, an election officer shall enter the voter's name with a notation of the reason for the voter's inability to sign the roster (or combination form). [Sec. 63.002(c)]
- Legibly enter the name of the voter on the poll list (or combination form). [Sec. 63.003(c)]
- The voter is required to sign his or her voter registration certificate in the appropriate place upon receipt. [Sec. 15.003]

- If a combination form is not used, the names on the poll list must be entered in the same order as the names on the signature roster. [Sec. 63.003(c)]
- *Stamp the voter's voter registration certificate with the party affiliation in a primary election. Otherwise, give voter a certificate of party affiliation. [Sec. 162.004(b)]*

NOTE: *The party affiliation certificate is not required to be issued to a voter in a runoff primary unless he or she requests it. [Sec. 162.004(c)]*

- Return the voter registration certificate to the voter. [Sec. 63.001(f)]
- Have the voter pick up a ballot, if applicable, or issue the voter an activation code, etc. for the accessible voting equipment and direct the voter to the voting area. [Sec. 64.001]

SITUATION 2. No Certificate, But Name on List
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The voter does not have a voter registration certificate, but his or her name appears on the precinct's list of registered voters.

- The voter must present identification (refer to the list of acceptable identification on page 11) in order to be able to vote. If the voter does not present a voter registration certificate or a form of identification listed on page 11, then the voter may wish to vote a provisional ballot. See Situation 9. [Secs. 63.008(a)(2)]
- Ask the voter if the voter's residence address on the precinct list of registered voters is current and whether the voter has changed residence within the county. [Sec. 63.0011]

NOTE: Some voters may not have their addresses listed on the list of registered voters due to their participation in an address confidentiality program. Nevertheless, election judges should continue to ask whether or not the voter has moved from the address at which the voter is registered to vote.

- If the voter meets the identification requirement, the voter shall be accepted for voting.
- Stamp "voted" or place some other notation next to the voter's name on the list of registered voters to indicate that the voter has been accepted for voting. [Sec. 63.001(e)]
- *In a primary election, stamp "voted" in the same manner on the second list of registered voters that is to be given to the precinct chair for use at the precinct convention after the polls close. [Sec. 172.1141]*
- *In a primary runoff election, only one list of registered voters is used. This list will indicate voters who voted in the first primary of the opposite party. If a voter attempts to vote in a party primary runoff of a different party than the one in which the voter voted in the first primary, the voter is ineligible to vote. A voter becomes affiliated with a political party when the voter votes in that party's primary. A person commits an offense if the voter votes or attempts to vote in a primary election after having voted in a primary election of another party during the same voting year. (The voting year is January 1 through December 31.) [Sec. 162.014]*
- Have the voter complete an affidavit of voter without certificate who is on list. If a combination form is used, have the voter check the box for voter without certificate. [Sec. 63.008]
- Have the voter sign the signature roster (or combination form). [Sec. 63.002(b)]
- If the voter cannot sign his or her name, an election officer shall enter the voter's name with a notation of the reason for the voter's inability to sign the roster (or combination form). [Sec. 63.002(c)]
- Legibly enter the name of the voter on the poll list (or combination form). [Sec. 63.003(c)]

- The voter is required to sign his or her voter registration certificate in the appropriate place upon receipt. [Sec. 15.003]
 - If a combination form is not used, the names on the poll list must be entered in the same order as the names on the signature roster. [Sec. 63.003(c)]
 - *Stamp the voter's voter registration certificate with the party affiliation in a primary election. Otherwise, give voter a certificate of party affiliation. [Sec. 162.004(b)]*
- NOTE:** *The party affiliation certificate is not required to be issued to a voter in a runoff primary unless he or she requests it. [Sec. 162.004(c)]*
- Have the voter pick up a ballot, if applicable, or issue the voter an activation code, etc. for the accessible voting equipment and direct the voter to the voting area. [Sec. 64.001]

SITUATION 3. The Voter Has Moved

The voter has changed his or her residence to a different precinct. Even if the voter has moved within an apartment complex, his or her precinct may have changed, so be sure to ask for the voter's full address. Anytime you have a question, call the voter registrar to determine a voter's proper precinct.

- The voter must present a voter registration certificate or other proper identification (refer to list of acceptable identification on page 11) in order to be able to vote. If the voter has moved or has an "S" notation next to their name, following one of the three solutions below:
 - a. Move To Another Precinct Within County (Voter shows up to vote in old precinct): The voter's name and address are the same on both the list of registered voters and the voter registration certificate, but the voter says that he or she has moved within the county or is on the S-list and is no longer a resident of the precinct. [Sec. 11.004]
 - He or she may vote a full ballot in this precinct if:
 - (1) He or she completes and signs a Statement of Residence; and
 - (2) The voter's present residence is in the territory of the political subdivision holding the election.
- NOTE:** A registered voter who changes his or her residence to another election precinct within the same county may vote a full ballot in his or her former precinct, if otherwise qualified, regardless of how long ago the voter moved, as long as voter lives in the same political subdivision conducting the election. *In primary elections* and the November election for state and county officers, the voter must still reside in the county.
- b. Move From Another Precinct Within County (Voter shows up to vote in new precinct): The voter's name is not on the list of registered voters and the voter registration certificate shows that the voter is not registered to vote in the precinct, and, if available, the voter registrar confirms by telephone that the voter is not registered in that precinct.
 - The voter says he or she is a resident of the precinct, but he or she did not transfer his or her voter registration to the new precinct of residence by the 30th day before the election.
 - The presiding judge should direct the voter to vote in his or her previous precinct if the voter is registered to vote there. If polling location information is available from a computer at the polling place, the election officer shall provide that information to assist voters in finding his or her correct polling place.

- If the voter declines to go to the correct precinct, the election judge must inform the voter of their right to vote a provisional ballot. The election judge will check the appropriate category on the Provisional Affidavit Envelope form. (See Situation 9.)
- c. **Move to Another County:** A voter who has moved from one county to another may NOT vote on election day in the county of his or her new residence, unless the voter has an effective registration in the new county. If the voter insists on voting in their new county of residence on election day, the election judge must inform them of their right to cast a provisional ballot.

NOTE: A voter who has moved from one county to another may, under some circumstances, be eligible to vote a limited ballot in the new county of residence before his or her registration in the new county is effective, but voting under this procedure may only be done by personal appearance or by mail during the early voting period. [Sec. 112.001, et seq.] The voter must be a current registered voter in his or her county of former residence when the voter requests a limited ballot. When the voter completes a limited ballot application, the application will act as a voter registration, if the voter has not already submitted a voter registration application to the new county voter registrar.

NEW LAW: Senate Bill 1970 (81st Legislature) requires that a voter be currently registered to vote in his/her previous county of residence in order to be eligible to vote a limited ballot in the new county of residence.
- d. If the election official determines that a voter has qualified to vote in this precinct, follow the standard procedures for processing the voter.
 - Stamp "voted" or place some other notation next to the voter's name on the list of registered voters to indicate that the voter has been accepted for voting. [Sec. 63.001(e)]
 - *In a primary election, stamp "voted" in the same manner on the second list of registered voters that is to be given to the precinct chair for use at the precinct convention after the polls close. [Sec. 172.1141]*
 - *In a primary runoff election, only one list of registered voters is used. This list will indicate voters who voted in the first primary of the opposite party. If a voter attempts to vote in a party primary runoff of a different party than the one in which the voter voted in the first primary, the voter is ineligible to vote. A voter becomes affiliated with a political party when the voter votes in that party's primary. A voter commits an offense if the voter votes or attempts to vote in a primary election after having voted in a primary election of another party during the same voting year. (The voting year is January 1 through December 31.) [Sec. 162.014]*
 - Have the voter sign the signature roster (or combination form). [Sec. 63.002(b)]
 - If the voter cannot sign his or her name, an election officer shall enter the voter's name with a notation of the reason for the voter's inability to sign the roster (or combination form). [Sec. 63.002(c)]
 - Legibly enter the name of the voter on the poll list (or combination form). [Sec. 63.003(c)]
 - The voter is required to sign his or her voter registration certificate in the appropriate place upon receipt. [Sec. 15.003]
 - If a combination form is not used, the names on the poll list must be entered in the same order as the names on the signature roster. [Sec. 63.003(c)]
 - *Stamp the voter's voter registration certificate with the party affiliation in a primary election. Otherwise, give voter a certificate of party affiliation. [Sec. 162.004(b)]*

NOTE: *The party affiliation certificate is not required to be issued to a voter in a runoff primary unless he or she requests it. [Sec. 162.004(c)]*

- Return the voter registration certificate to the voter (or other form of ID). [Sec. 63.001(f)]
- Have the voter pick up a ballot, if applicable, or issue the voter an activation code, etc. for the accessible voting equipment and direct the voter to the voting area. [Sec. 64.001]

<p>SITUATION 4. Voter with "ID" Notation on List of Registered Voters</p>
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The annotation "ID" will appear next to the name of those voters who registered to vote but either have not been issued a Texas driver's license or personal ID number or a social security number OR the numbers provided could not be verified. In either case, the voters must provide identification when they present themselves for voting. [Secs. 13.122 and 18.005(a)(4)]

- a. The voter must present their voter registration certificate and another acceptable form of identification before the voter may be accepted for voting. Acceptable forms of identification are listed on page 11. [Sec. 13.122]
- b. The voter's voter registration certificate is not sufficient identification for an ID voter. [Secs. 13.122 and 63.0101]
- c. If the ID voter does not present acceptable identification, then the voter may wish to vote a provisional ballot; but, they should be warned that the ballot will not be counted since the voter did not present ID as required. (See Situation 9.) [Sec. 63.011]
- d. If the ID voter presents acceptable identification, then follow the standard procedures for processing a voter.
 - Ask the voter if the voter's residence address on the precinct list of registered voters is current and whether the voter has changed residence within the county.
 - Stamp "voted" or place some other notation next to the voter's name on the list of registered voters to indicate that the voter has been accepted for voting. [Sec. 63.001(e)]
 - *In a primary election, stamp "voted" in the same manner on the second list of registered voters that is to be given to the precinct chair for use at the precinct convention after the polls close. [Sec. 172.1141]*
 - *In a primary runoff election, only one list of registered voters is used. This list will indicate voters who voted in the first primary of the opposite party. If a voter attempts to vote in a party primary runoff of a different party than the one in which the voter voted in the first primary, the voter is ineligible to vote. A voter becomes affiliated with a political party when the voter votes in that party's primary. A voter commits an offense if the voter votes or attempts to vote in a primary election after having voted in a primary election of another party during the same voting year. (The voting year is January 1 through December 31.) [Sec. 162.014]*
 - Have the voter sign the signature roster (or combination form). [Sec. 63.002(b)]
 - If the voter cannot sign his or her name, an election officer shall enter the voter's name with a notation of the reason for the voter's inability to sign the roster (or combination form). [Sec. 63.002(c)]

- Legibly enter the name of the voter on the poll list (or combination form). [Sec. 63.003(c)]
 - The voter is required to sign his or her voter registration certificate in the appropriate place upon receipt. [Sec. 15.003]
 - Legibly enter the name of the voter on the List of ID Voters.
 - If a combination form is not used, the names on the poll list must be entered in the same order as the names on the signature roster. [Sec. 63.003(c)]
 - *Stamp the voter's voter registration certificate with the party affiliation in a primary election. Otherwise, give voter a certificate of party affiliation. [Sec. 162.004(b)]*
- NOTE:** *The party affiliation certificate is not required to be issued to a voter in a runoff primary unless he or she requests it. [Sec. 162.004(c)]*
- Return the voter registration certificate (and other form of ID) to the voter. [Sec. 63.001(f)]
 - Have the voter pick up a ballot, if applicable, or issue the voter an activation code, etc. for the accessible voting equipment and direct the voter to the voting area. [Sec. 64.001]

SITUATION 5. Expired Voter Registration Certificate
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The voter presents an expired certificate.

- The voter must present identification (refer to the list of acceptable identification on page 11) in order to be able to vote. [Secs. 63.008, 63.009(a)] Note: because the expired certificate is a government mailing to the voter, it may be used as a form of identification.
 - Check to see if the voter's name appears on the list of registered voters. If it does not, follow the procedures in Situation 9.
 - If the voter's name does appear on the list of registered voters, ask the voter if the voter's residence address on the precinct list of registered voters is current and whether the voter has changed residence within the county. [Sec. 63.0011]
- (a) If an "S" notation appears next to the voter's name on the list of registered voters and/or the voter has indicated he or she has moved but is a resident of the county, have the voter complete and sign a Statement of Residence. [Secs. 15.112, 63.0011]

NOTE: If the voter is attempting to vote in a political subdivision other than the county, the voter must reside in the political subdivision served by the authority ordering the election. Additionally, in a less-than-countywide election ordered by the governor or a county authority, the voter must reside in the territory covered by the election.

- Stamp "voted" or place some other notation next to the voter's name on the list of registered voters to indicate that the voter has been accepted for voting. [Sec. 63.001(e)]
- *In a primary election, stamp "voted" in the same manner on the second list of registered voters that is to be given to the precinct chair for use at the precinct convention after the polls close. [Sec. 172.1141]*
- *In a primary runoff election, only one list of registered voters is used. This list will indicate voters who voted in the first primary of the opposite party. If a voter attempts to vote in a party primary runoff of a different primary than the one in which the voter voted in the first primary, the voter is ineligible to vote. A voter becomes affiliated with a political party when the voter votes in that party's primary. A voter commits an offense if the voter votes or attempts to vote in a primary*

election after having voted in a primary election of another party during the same voting year. (The voting year is January 1 through December 31.) [Sec. 162.014]

- Have the voter sign the signature roster (or combination form). [Sec. 63.002(b)]
 - If the voter cannot sign his or her name, an election officer shall enter the voter's name with a notation of the reason for the voter's inability to sign the roster (or combination form). [Sec. 63.002(c)]
 - Legibly enter the name of the voter on the poll list (or combination form). [Sec. 63.003(c)]
 - The voter is required to sign his or her voter registration certificate in the appropriate place upon receipt. [Sec. 15.003]
 - If a combination form is not used, the names on the poll list must be entered in the same order as the names on the signature roster. [Sec. 63.003(c)]
 - *Stamp the voter's registration certificate, if available, with the party affiliation in a primary election. Otherwise, give voter a certificate of party affiliation. [Sec. 162.004(b)]*
- NOTE:** *The party affiliation certificate is not required to be issued to a voter in a runoff primary election unless the voter requests it. [Sec. 162.004(c)]*
- Return the voter's expired certificate to him or her. [Sec. 63.001(f)]
 - Have the voter pick up a ballot, if applicable, or issue the voter an activation code, etc. for the accessible voting equipment and direct the voter to the voting area. [Sec. 64.001]

<p>SITUATION 6. The Voter Presents a Valid Certificate, But the Voter's Name Is Not On the List of Registered Voters</p>

The voter presents a current voter registration certificate indicating he or she is eligible to vote in the precinct in which the voter is offering to vote, but his or her name does not appear on the precinct's list of registered voters. Check the precinct number on the certificate to ensure the voter is in the proper precinct. Check the address on the certificate to ensure that the address is located in the precinct. If possible, contact the voter registrar to determine if the voter's registration has been cancelled for some reason. If the voter registrar does not verify the registration status of the voter by phone, the voter must vote a provisional ballot. (See Situation 9.) If the voter registrar is contacted and verifies the voter should be on the list in the precinct where the voter is offering to vote, proceed as follows:

- Ask the voter whether he or she has moved from the address on the certificate but within the county. If the voter has moved but is still a resident of the county, have the voter complete and sign a Statement of Residence. [Secs. 15.112, 63.0011]
- Enter the voter's name, address, and certificate number on the registration omissions list (*and on the second list of registered voters in a general primary election*) and indicate there that the voter was accepted under Section 63.006. [Secs. 63.005(b), 63.006(a)]
- *In a primary election, stamp "voted" in the same manner on the second list of registered voters that is to be given to the precinct chair for use at the precinct convention after the polls close. [Sec. 172.1141]*
- *In a primary runoff election, only one list of registered voters is used. This list will indicate voters who voted in the first primary of the opposite party. If a voter attempts to vote in a party primary runoff of a different primary than the one in which the voter voted in the first primary, the voter is ineligible to*

vote. A voter becomes affiliated with a political party when the voter votes in that party's primary. A voter commits an offense if the voter votes or attempts to vote in a primary election after having voted in a primary election of another party during the same voting year. (The voting year is January 1 through December 31.) [Sec. 162.014]

- Have the voter sign the signature roster (or combination form). [Sec. 63.002(b)]
- If the voter cannot sign his or her name, an election officer shall enter the voter's name with a notation of the reason for the voter's inability to sign the roster (or combination form). [Sec. 63.002(c)]
- Legibly enter the name of the voter on the poll list (or combination form). [Sec. 63.003(c)]
- The voter is required to sign his or her voter registration certificate in the appropriate place upon receipt. [Sec. 15.003]
- If a combination form is not used, the names on the poll list must be entered in the same order as the names on the signature roster. [Sec. 63.003(c)]
- *Stamp the voter's voter registration certificate, if available, with the party affiliation in a primary election. Otherwise, give voter a certificate of party affiliation. [Sec. 162.004(b)]*

NOTE: *The party affiliation certificate is not required to be issued to a voter in a runoff primary election unless the voter requests it. [Sec. 162.004(c)]*

- Return the voter registration certificate to the voter. [Sec. 63.001(f)]
- Have the voter pick up a ballot, if applicable, or issue the voter an activation code, etc. for the accessible voting equipment and direct the voter to the voting area. [Sec. 64.001]

SITUATION 7. Incorrect Precinct Number

The voter's registered residence address on the certificate does not match the precinct number on the certificate. As a result, either (a) the voter is at the polling place indicated on their voter registration certificate, but has a registration residence address in a different precinct, or (b) the voter is at the polling place that matches the residence address but is not on the list because the precinct number is incorrect.

- First, determine the registered residence address. Then see which of the following apply:
 - a. The precinct number on the certificate matches the precinct in which the voter attempts to vote, but the registered residence address is not in the precinct.
 - If the residence address under which the voter is registered to vote is not within the precinct, the voter is not eligible to vote in that precinct and should be sent to the correct precinct polling place. [Sec. 63.0011] If the voter insists on voting in the wrong precinct, the election judge must inform the voter of his or her right to vote a provisional ballot. If polling location information is available from a computer at the polling place, the election officer shall provide that information to assist voters in finding their correct polling place.
 - b. The registered address is within the precinct, but the precinct number on the certificate is wrong and the voter is not on the list.

NOTE: If the voter has moved within the county or is on the S-list, follow the procedures in Situation 3.

- Have the voter complete an affidavit of voter with incorrect certificate who is not on the list. [Sec. 63.007(a)] This affidavit is used only when the precinct number is incorrect. If other information is incorrect, tell the voter to correct it on the back of the certificate, sign it, and

return it to the voter registrar. The voter registrar will then mail the voter a corrected certificate.

- Enter the voter's name, address, and certificate number on the registration omissions list (*and on the second list of registered voters in a general primary election*) and indicate there that the voter was accepted under Section 63.007. [Secs. 63.005(b), 63.007(b)(2)]
- *In a primary election, stamp "voted" in the same manner on the second list of registered voters that is to be given to the precinct chair for use at the precinct convention after the polls close. [Sec. 172.1141]*
- *In a primary runoff election, only one list of registered voters is used. This list will indicate voters who voted in the first primary of the opposite party. If a voter attempts to vote in a party primary runoff of a different primary than the one in which the voter voted in the first primary, the voter is ineligible to vote. A voter becomes affiliated with a political party when the voter votes in that party's primary. A voter commits an offense if the voter votes or attempts to vote in a primary election after having voted in a primary election of another party during the same voting year. (The voting year is January 1 through December 31.) [Sec. 162.014]*
- Have the voter sign the signature roster (or combination form). [Sec. 63.002(b)]
- If a voter is unable to sign his or her name, an election official shall enter the voter's name with a notation of the reason for the voter's inability to sign the roster. [Sec. 63.002(c)]
- The voter is required to sign his or her voter registration certificate in the appropriate place upon receipt. [Sec. 15.003]
- Legibly enter the name of the voter on the poll list and indicate there that the voter was accepted under Section 63.007. [Secs. 63.003(c), 63.007(b)(1)]
- If a combination form is not used, the names on the poll list must be entered in the same order as the names on the signature roster. [Sec. 63.003(c)]
- *Stamp the voter's voter registration certificate, if available, with the party affiliation in a primary election. Otherwise, give voter a certificate of party affiliation. [Sec. 162.004(b)]*
NOTE: *The party affiliation certificate is not required to be issued to a voter in a runoff primary election unless the voter requests it. [Sec. 162.004(c)]*
- Return the voter registration certificate to the voter. [Sec. 63.001(f)]
- Have the voter pick up a ballot, if applicable, or issue the voter an activation code, etc. for the accessible voting equipment and direct the voter to the voting area. [Sec. 64.001]

SITUATION 8. Voter With No Evidence Of Registration
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- The voter must be asked to present identification (refer to the list of acceptable identification on page 11). [Secs. 63.008, 63.009(a)] If the voter has no identification, he or she is still eligible to vote a provisional ballot, but the ballot will not be counted if the provisional voter presents no identification. [1 T.A.C. §§ 81.172-81.174]
- When the voter's name does not appear on the list, a voter must complete a provisional voter affidavit, which states the facts necessary to support the voter's eligibility to vote. (See Situation 9.)
- If an election official can determine from the voter registrar that the voter is a registered voter of the county (usually by telephone) and the voter has proper identification, the voter must be accepted for voting and the provisional ballot affidavit procedure is not needed. In this case, the following affidavits

in sections (a) and (b) below should be completed in lieu of the provisional voter affidavit. [Sec. 63.009(b)] [Note: The affidavits to be used in sections (a) and (b) below do not fit the situation exactly as described by the title of the affidavits; however, they are the affidavits required to be used by Section 63.009(b).]

- (a) Affidavit of voter with incorrect certificate who is not on the list, which should state that the voter: [Sec. 63.007]
 - (1) is a resident of the precinct in which the voter is offering to vote or is otherwise entitled by law to vote in that precinct;
 - (2) was a resident of the precinct in which he is offering to vote at the time that information on the voter's residence address was last provided to the voter registrar;
 - (3) did not deliberately provide false information to secure registration in a precinct in which the voter does not reside; and
 - (4) is voting only once in the election.
 - (b) Affidavit of voter without certificate who is on list. This affidavit should state that the voter does not have a voter registration certificate in the voter's possession at the polling place at the time of offering to vote. [Sec. 63.008]
 - (c) After the voter is accepted under this section, an election officer shall:
 - (1) make a notation that the voter was accepted under Section 63.009 next to the voter's name on the poll list. [Sec. 63.009]
 - (2) Enter the voter's name, address, and certificate number indicated on the certificate on the registration omissions list (*and on the second list of registered voters in a general primary election*), and indicate there that the voter was accepted under Section 63.009(b).
 - (d) Frequently, these affidavits are already included on the combination form.
- Have the voter sign the signature roster (or combination form). [Sec. 63.002(b)]
 - *In a primary election, stamp "voted" in the same manner on the second list of registered voters that is to be given to the precinct chair for use at the precinct convention after the polls close. [Sec. 172.1141]*
 - *In a primary runoff election, only one list of registered voters is used. This list will indicate voters who voted in the first primary of the opposite party. If a voter attempts to vote in a party primary runoff of a different primary than the one in which the voter voted in the first primary, the voter is ineligible to vote. A voter becomes affiliated with a political party when the voter votes in that party's primary. A voter commits an offense if the voter votes or attempts to vote in a primary election after having voted in a primary election of another party during the same voting year. (The voting year is January 1 through December 31.) [Sec. 162.014]*
 - If the voter cannot sign his or her name, an election officer shall enter the voter's name with a notation of the reason for the voter's inability to sign the roster (or combination form). [Sec. 63.002(c)]
 - Legibly enter the name of the voter on the poll list (or combination form). [Sec. 63.003(c)]
 - The voter is required to sign his or her voter registration certificate in the appropriate place upon receipt. [Sec. 15.003]
 - If a combination form is not used, the names on the poll list must be entered in the same order as the names on the signature roster. [Sec. 63.003(c)]